

## A M E N D E D MINUTES

Town of Primrose Comprehensive Planning Steering Committee March 23, 2009

Meeting called to order by Dein at 7:35

Attending: Dein, Elkins, Garfoot, Gibson, Haack, Hayward, D. Judd, J. Judd

1. Motion made by D Judd, seconded by Hayward, to approve the minutes of the March 9 meeting. Motion carried 7-0.
2. Public Comment Period:
  - (a) Explain what happens in a 'read only' format. Can anything in an electronic document be changed? Do you not put emails between Commission members on the Website, because you don't want them to be changed?
  - (b) The draft of the minutes are not provided to the public ahead of time— in the last few meetings, they are put out 3 minutes or 8 minutes ahead of time. Commission members do not come prepared ahead of time and they take valuable time to read the minutes.
  - (c) Have things changed? Are the Commission members going to answer the questions asked or is the public never going to get answers?
  - (d) Are Commission members looking at the surveys? Can they look up survey numbers and know who filled out what survey? Are they discussing it behind the scenes.
  - (e) On the Website, there was no draft of the minutes for March 9, no notice of the Elements to be discussed. The public has no public participation.
  - (f) The Town Square has only 22 registered participants, and there are 500 plus residents.
  - (g) The Town spends money on the Website, but there are many errors.
  - (h) Comprehensive Planning Commissioners emails have to be requested. What does open records mean if you have to request the emails?
  - (i) There seemed to no source as to what was on tonight's agenda.
  - (j) Asking questions now and getting answers later is not public participation.
  - (k) There are no minutes posted for electronic meetings. Can meetings on Town Square actually happen without being posted.
  - (l) Have all the surveys been received? Are ones being counted who cut off the survey number.
  - (m) The State Journal had an article about working lands and building and TDRs.
  - (n) Fair values should be maintained for lands for everyone.
  - (o) Public comment is not public participation.
  - (p) It was said that the minutes of February 16<sup>th</sup> should be amended because Dien said he only thought of showing people how the Town Square worked a day before the caucus, but an email show it was two days.

Public Comments closed.

2. Report of Standing on the status of the surveys.

So far he has received 368 surveys. They have begun work on the demographic aspect of the survey. The surveys are anonymous. No one, including Commission members, know the numbers or have yet seen the result. The numbers have been blocked out. (Notice, this answers question (d) above.) All comments will be reproduced verbatim, and all individual comments will be public record.

3. Standing summarized the Draft of the Economic Development Plan

4. Standing opened the floor to Public Comment on the draft of the Economic Development Plan. Those comments are as follows:

- a. Avoid "commercial and industrial" language. Don't allow any commercial development in the town.
- b. Make sure agriculture is allowed to go up to limits in state livestock sizing and siting laws. Don't set additional limits on livestock operations.
- c. Support community-run farmer's market.
- d. Consider commercial activities outside of farming, such as bed 'n' breakfasts, wedding location.
- e. Support recreational development and other commercial development that bring in outside money into the town and expands town tax base, such as golf courses, skeet ranges, ski runs. Make sure such operations pay their fair share for road maintenance and other town services.
- f. Support services such as a grocery store, service stations, restaurant, where economically feasible.
- g. Allow and support alternative agriculture, organic farming, cheese factories, wineries and other value added products. Allow distribution centers and onsite sampling of products.
- h. Increase awareness of organic and community supported agriculture, publicize on town website, organize tours, etc.
- i. Allow farmers to be flexible to adapt to new products and economic circumstances. Let marketplace determine what kinds of farming are done in the town.
- l. Diversify economic base of town to include more activities in addition to agriculture and let people have different ways to make a living.
- m. Allow tractor repair shops, farmer's markets, manure digester, day care, hairdresser, limited family businesses, ironworkers and other economic activities that support farming. Don't limit commercial development exclusively to agriculture.
- n. Strike "farm family" from income language in Policy 1.
- o. Consider fees or alternative revenue sources (like room tax up North), require a permit or licensing to conduct a nonagricultural business in the town. (Tie to CUP or rezone process and work out details of which uses would require licensing and which wouldn't.)
- p. Don't price the town out of competition for other locations.
- q. Make sure enforcement is feasible. Permit fee would be easier to implement than a tax.
- r. Consider tax on hunting leases (Missouri example?)

- s. Find out what legal mechanisms exist to collect tax and redistribute back to the town.
- t. Look at gross vehicle weight fees for overweight vehicles (like in Town of Roxbury.) Make sure you don't create a disincentive for doing business in the town.
- u. Be fair and make sure heavy road users or overweight vehicles - both farm and nonfarm - pay their fair share of road maintenance costs.
- v. Survey and inventory road conditions and work out conditions with new commercial uses to make sure they pay for damage to town roads caused by heavy traffic.
- w. Consider seasonal road postings to limit vehicle weights, particularly in spring. Economics have required more tandem milk trucks and heavier equipment. Changes in types of agriculture and other equipment have resulted in heavier equipment.
- x. Consider annual permit, with revocation if certain number of violations or complaints are reached. Setup rules to evaluate operation. Require regular review of operations permitted under conditional use permits, or consider expiration date on conditional use permits and require operators to reapply after a certain length of time.
- y. Don't give away rights to do business to a small board. Make sure individual neighbor disputes don't affect right to do business.
- z. Don't violate right-to-farm laws.
- i. Require large vehicles to pay permit fee to access posted town roads with an oversized vehicle.
- ii. Allow for senior homes and adult care facilities to take care of elderly.
- iii. Use town hall to have courses, classes and workshops to help residents learn new skills.
- iv. Work with county to monitor number of dairy farms, and other business operations in the town.
- v. Collect changes in farming to help in future planning efforts.

Public Comment closed.

- 5. Standing summarized the draft of the Natural Resources element of the Comprehensive Plan.
- 6. Standing opened the floor to Public Comment on the draft of the Natural Resources element of the Comprehensive Plan. Those comments were as follows:
  - a. Include "wherever possible," in many of these goals, objectives and policies to weigh economic opportunity and natural resource protection.
  - b. Use education, incentives or matching grants or other methods to encourage natural resource protection that exceeds state and county regulatory minimum standards.
  - c. Consider effect of encouraging development in woodlots on habitat fragmentation.
  - d. Encourage preservation of contiguous woodlands.
  - e. Couple economic compensation for environmental regulations that limit the use of property.
  - f. Provide just compensation for taking of rights.
  - g. Avoid vague language with ordinances and rules.

- h. Restrict all development from wetlands, but provide just compensation.
- i. Look at limits on exterior materials, design, landscaping guidelines to make development blends in with natural or farm environment.
- h. Protect property rights of individuals when balancing the goals of the community.

Public comment closed.

7. The Commission scheduled a meeting for April 27<sup>th</sup> to discuss drafts of the elements of the Comprehensive Plan relating to Cultural Resources and Mineral Extraction, and possibly Housing. A meeting for May 11<sup>th</sup> was also scheduled to begin revisions on existing drafts.
8. Response to the Public Comments given at the beginning of the meetings was given. Several questions had been asked and answered several times before. So rather than going through those questions and answers again, the Commission decided to reference the answers given to the questions in past Minutes. New questions were answered.

Answers to question (a) and (h). All emails go into an email box, which is protected in records archives . If everyone had access, these records could be deleted. Therefore, one must make a request to see the records, which are open records, since they will be provided upon request. These emails are for the purpose of setting meeting times, sending drafts of Elements, etc., not for any decision.

Regarding draft of Minutes, questions (b) and (e): Gibson reported that she had contacted Mark Hazelbaker of the Towns Association and also the Attorney Generals Office. Both informed her that drafts of minutes were not public record. Once the drafts are distributed to members of the Commission, they could be requested by the public, but were merely a draft until they were officially approved. There is no requirement that minutes be made available either to the Commission or Public until the meeting at which they are to be approved. Judd asked that the Minutes be done in a timely enough way that Commission members could see them (and the public request them) prior to the meeting.

Regarding question (c), (j), and (o). We will try to answer questions at the meetings at which they are asked, if the meeting is not going on too late. Questions about the public comment vs. participation were addressed in the March 9<sup>th</sup> meeting. There the minutes contain the following remarks: "Dein said that two things should be distinguished. The first is Public Participation, and there multiple ways to participate in the Comprehensive Planning Process. But, secondly, there are the Steering Committee Meetings, which are business meetings intended to get work done. We have allowed a Public Comment component in all of these meetings, though we are not required to do so. And we have tried to answer most of the questions asked, although, again, we are not required to do so. Several members thought that to have a back and forth discussion of the issues

would take too long and divert us from getting work done. But there will be an effort to address most questions at the same meeting at which they were asked, if the meeting has not already gone too late. There will be an item put on the agenda under which questions can be answered.” Dien added that had been a time accompanying each presentation of a draft of the Elements in which Standing allowed for public comment that included a back and forth between Standing, Commission members and the public.

Standing addressed questions (d) and (l) : The surveys are anonymous. No one, including Commission members, know the numbers or have yet seen the result. The numbers have been blocked out. All surveys received will be counted.

Regarding questions (e), (g), and (i) about the Website. Dien asked that anyone finding errors on the Website contact him with the errors and he will try to have them corrected. Regarding postings, the County and Township will try to have all relevant material posted on the Website prior to the meetings. (There had been some problems with material that Standing sent not being received or not received in a readable form. We will make every effort to work out those problems).

Regarding question (k) about ‘virtual meetings’. This was answered in the February 16<sup>th</sup> meeting. Those minutes say the following: “Dein said that in the Comprehensive Planning Documents, there is an official notice of the possibility that a quorum of the Town Board or Planning Commission members may be present on the Town Square discussing some issue. This official notice was written by the County specifically to comply with State Open Meeting Laws. Because of this notice, it is legal for a quorum to be present on the Town Square, so the Steering Committee members may all be on the Town Square at the same time or, or some of us may be, or we can log on and put comments when it is convenient for us to do so. All comments we make on the Town Square are there for anyone to see.

Below is a copy of a portion of the document that gives notification of the possibility of meetings on the Town Square:

*This hereby serves as an official notice pursuant to the state Open Meetings Law that a possible quorum of town governmental bodies may exist while participating on the Town of Primrose Comprehensive Plan project electronic discussion forum, accessible online at this listed web address: <http://tn.primrose.wi.gov/BulletinBoard.htm>. The electronic discussion forum discussion will last the duration of the Town of Primrose Comprehensive Plan project (approximately June, 2009). At any give time, a quorum of any Town of Primrose committee, Planning Commission, or the Town Board, could be participating in a discussion on this site. However, no governmental body will convene or make any decisions while active on the electronic discussion forum - the electronic discussion forum exists for discussion and informational purposes only. The websites are all publicly accessible and reviewable.*

Regarding (p), Dien said we could amend the minutes if we so wanted.

9. Business for next months agenda—a discussion of the results of the survey, as well as a presentation by Standing of drafts of the elements of the Comprehensive Plan relating to Cultural Resources and Mineral Extraction, and possibly Housing.

10. Motion to adjourn made by D. Judd, seconded by Haack. Motion carried 8-0.

Minutes respectfully submitted by Martha Gibson